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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/719,759	12/14/2000	Roland Lippert	LIPPERT	4096

20151 7590 03/01/2002

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SUITE 3220  
NEW YORK, NY 10118

EXAMINER

SICONOLFI, ROBERT

ART UNIT	PAPER NUMBER
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3613

DATE MAILED: 03/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/719,759

Applicant(s)

LIPPERT ET AL.

Examiner

Robert A Siconolfi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/25/01 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

### **DETAILED ACTION**

1. Preliminary Amendment filed on 3/6/01 has been received. Information Disclosure Statement filed on 3/6/01 has been received.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the slot extending at an angle to the bearing axis and the ring having an outer rib in an off center relationship with the width of the ring must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent

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protection desired. Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 8 recites the broad recitation friction reducing material, and the claim also recites PTFE which is the narrower statement of the range/limitation.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haenel (U. S. Patent no. 3,954,313) in view of Kruk (U. S. Patent no. 4,798,482)

Haenel discloses :

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Single piece inner race 2 with central collar 7 and outer collars 3,4, a one piece outer race 8 with a central collar in a form of a ring 9, cylindrical rolling elements 5,6. Inner race having a lubricating groove with a lubricating bore 15

Haenel does not disclose a t shaped collar. Kruk teaches a shaped collar (see figure 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a t shaped collar as taught by Kruk in the bearing setup of Haenel in order to simplify assembly. Haenel uses blind rivets in circumferentially placed locations. This requires for the holes the ring and the outer race to be lined up. With a t shaped ring as taught by Kruk, there is no need to line up holes.

With regard to claims 8, 14 and 15, Haenel does not teach coating the ring with a antifriction coating such as PTFE. It would have been obvious to one of ordinary skill in the art at the time the invention was made to coat the ring with PTFE since the ring is in contact with the rolling elements as seen in the figure of Haenel and thereby eliminating friction between the ring and the rollers cause heat and wear thus extending the life of the bearing setup.

8. Claims 1-4, 6-11, 12-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haenel (U. S. Patent no. 3,954,313) in view of Kruk (U. S. Patent no. 4,798,482) and further in view of Gibbons et al (U. S. Patent no. 1,970,449).

Haenel, as modified, is relied upon as above.

Haenel, as modified, does not disclose a slot in the ring. Gibbons et al teaches a slot in the ring ( see figures 2 and 5). It would have been obvious to one of ordinary skill in the

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art at the time the invention was made to use a slot in the ring as taught by Gibbons et al in the bearing setup of Haenel, as modified, in order to ease assembly.

With regard to claims 8, 14 and 15, Haenel, as modified, does not teach coating the ring with a antifriction coating such as PTFE. It would have been obvious to one of ordinary skill in the art at the time the invention was made to coat the ring with PTFE since the ring is in contact with the rolling elements as seen in the figure of Haenel and thereby eliminating friction between the ring and the rollers cause heat and wear thus extending the life of the bearing setup.

9. Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haenel, as modified, as applied to claims 1 and 9 above, and further in view of Reiter (U. S. Patent no. 4,336,971).

Haenel, as modified, is relied upon as above. Haenel, as modified, does not disclose sealing elements on the outer collars of the inner race. Reiter teaches sealing elements on the outer collar of the inner race ( see seals 66). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have sealing elements on the outer collar of the inner race as taught by Reiter in the bearing setup of Haenel, as modified, in order to prevent dirt and debris from entering thus causing damage to the bearings.

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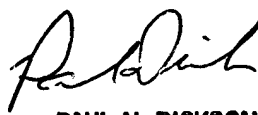
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A Siconolfi whose telephone number is (703) 305-0580. The examiner can normally be reached on M-F 9 am-3 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (703) 308-2089. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Robert A Siconolfi  
Examiner  
Art Unit 3613

RS  
February 22, 2002

  
PAUL N. DICKSON 2/22/02  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600